

CHECKLIST:

ARE YOU WORKING WITH A BABA COMPLIANT MANUFACTURER?

By using this checklist, businesses can increase their chances of finding BABA-compliant manufacturers and ensure compliance with the act's provisions.

Understand BABA requirements:

Yes No

1. Are you familiar with the specific provisions and requirements outlined in the Build America, Buy America Act (BABA)? Reference Title IX of the Infrastructure Investment and Jobs Act (IIJA).

- The manufactured product(s), from the initial melting stage through the application of coatings, was manufactured in the United States, and
- The cost of the components of the manufactured product(s) that are mined, produced, or manufactured in the United States is greater than 55% of the total cost of all components of the manufactured product

2. Does your project's funding source include any federal funding, including State Revolving Fund (SRF) and Water Infrastructure Finance and Innovation Act (WIFIA) projects?

Prioritize domestic manufacturing:

Yes No

3. During the design/selection/procurement stage, did you confirm the manufacturer's commitment to meeting BABA requirements in their proposal through a signed letter, from an officer of the company, stating their ability and intent to comply with meeting BABA requirements at no additional cost or project lead time?

4. Did you verify the location of manufacture for specific products, ensuring they are manufactured in the United States?

5. Did the manufacturer identify domestic sources for the main materials, such as stainless steel, castings, composites, drives, and electrical components?

6. Did the manufacturer specifically state that total costs (excluding labor) associated with manufacturing are at least 55% domestic?

Request documentation and certifications:

Yes No

7. Did you ask manufacturers for proof of compliance with BABA requirements?

8. Did you ask manufacturers for a certification letter, including the project identifier, product identity, a statement of compliance with BABA, and the location(s) of manufacturing being certified? A company representative should sign the certification.

Assess accountability and risk:

Yes No

9. Is the manufacturer providing a clear statement of ability and intent to comply?

10. Did you evaluate the risks associated with using non-compliant products, including potential costs and project delays?

11. Did you consider requiring a performance bond from the manufacturer if they cannot provide proof of compliance?

If you have answered **NO** to any of these questions, you may be **at risk** of choosing a supplier that will not provide compliant materials. Equipment manufacturers must be prepared to demonstrate their ability and commitment to meeting BABA compliance guidelines, beginning with their proposals during the design, selection, and procurement stage and ending with a compliance certificate at project completion.

Want to know more about Hydro-Dyne Compliance?

Contact us (813) 818-0777 or visit www.hydro-dyne.com/baba

For us, 'Build America, Buy America' is just 'Business as Usual.'